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### **REMARKS**

Applicant respectfully requests reconsideration of this Patent Application, particularly in view of the above Amendment and the following remarks.

No additional fee is required for this Amendment because the total number of claims does not exceed the number of independent and dependent claims for which fees have previously been paid.

### **Request for Telephone Interview**

Applicant kindly requests the Examiner to contact the undersigned at (847) 490-1400 to schedule a telephone interview if the amendments and arguments are not deemed sufficient to place this Patent Application in condition for allowance.

### **Amendment to the Claims**

Applicant amended Claim 1 to clarify that a water flowmeter is positioned between a water tank and a mixing eductor, wherein the water flowmeter monitors a water flowmeter rate of the heated water from the water tank to the mixing eductor and controls the water flowmeter rate at a selected flowmeter rate. Applicant further amended Claim 1 to include limitations of Claim 3, and to clarify that a bulk

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product is weighed in a continuous weigher before being discharged into the mixing eductor. Claim 3 has been canceled in view of amended Claim 1.

Applicant amended Claim 6 to clarify that heated water is received within the mixing eductor from the water tank at a selected water flowmeter rate controlled by the water flowmeter. Applicant further amended Claim 6 to include limitations of Claim 9, and to clarify that the bulk product is weighed in the continuous weigher before being discharged into the mixing eductor. Claim 9 has been canceled in view of amended Claim 6.

Applicant amended Claim 12 to clarify that the bulk product is weighed in the continuous weigher. Applicant further amended Claim 12 to include the steps of transferring the weighed bulk product from the continuous weigher to the mixing eductor for mixing with heater water and supplying heated water from the water tank to the mixing eductor at a selected water flowmeter rate.

Claims 1, 2, 4-8, and 10-26 are currently pending.

No new matter has been added to the claims by this Amendment.

### **Claim Rejections - 35 U.S.C. §102**

The rejection of Claims 1-4, 6-9, 12-14 and 16-26 under 35 U.S.C. §102(b) as anticipated by Fields et al., U.S. Patent 4,526,621, is respectfully traversed.

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Fields discloses a portable facility for processing granulated sugar into liquid sucrose and invert sugar including a boiler, a mixing tank and an assembly of interconnected pumps, motors and control valves for processing granulated sugar into either sucrose or invert sugar (Abstract). The process of melting granulated sugar disclosed in Fields involves, first, filling the mixing tank 12 with an amount of heated water needed to produce the desired amount of finished product. Once the mixing tank 12 is filled with the needed amount of water, pumps 25 and 41 are activated. Operation of pumps 25 and 41 causes heated water to flow from the mixing tank 12 to a liquifying pan, wherein granulated sugar is melted. Then, a slurry of sugar and water is circulated back into the mixing tank for further blending in the mixing tank. This process, i.e., circulating heated water and the slurry of sugar and water into and out of the mixing tank, continues until a desired sugar content is achieved, as determined by a Brix reading. After the desired sugar content is achieved, the process is stopped, and the finished product is pumped into a storage tank or back into the mixing tank, for storage. The gallon amount of finished product pumped into or out of the mixing tank 12 is measured by meter 30.

Although not taught or disclosed, Fields suggests that a predetermined amount of sugar is added to the liquifying pan for mixing with a predetermined amount of water added to the mixing tank. Thus, Fields does not teach or suggest

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anything other than adding a predetermined amount of sugar and adding a predetermined amount of water for mixing together in the mixing tank to produce the desired final product.

Fields does not teach or suggest a bulk product melt system comprising a continuous weigher for weighing a bulk product, such as for example sugar, before the bulk product is discharged into a mixing eductor for mixing with heated water supplied to the mixing eductor at a selected and controlled flowmeter rate. Fields does not teach or suggest a bulk product melt system comprising a water flowmeter positioned between a water tank and the mixing eductor, wherein the water flowmeter monitors a water flowmeter rate of the heated water from the water tank to the mixing eductor and controls the water flowmeter rate at a selected flowmeter rate. Thus, Fields does not teach or suggest a bulk product melt system wherein both the bulk product and heated water are individually supplied into the mixing eductor at continuously measured and controlled rates.

Thus, Fields does not teach or suggest each and every element or limitation of independent Claims 1, 6 and 12, as required for a reference to anticipate a claim under 35 U.S.C. §102. Consequently, Applicants respectfully request withdrawal of this rejection and allowance of Claims 1, 2, 4-8, and 10-26.

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### **Claim Rejections - 35 U.S.C. §103**

Claims 5 and 19 were rejected under 35 U.S.C. §103(a) as obvious over Fields et al., further in view of Wiik, U.S. Patent 5,702,746. Claims 10, 11 and 15 were rejected under 35 U.S.C. §103(a) as obvious over Fields et al., further in view of routine skill in the art and/or common knowledge in the art. These rejections are respectfully traversed.

As discussed above, Fields, individually or in combination with Wiik, routine skill in the art and/or common knowledge in the art, does not teach or suggest a bulk product melt system comprising a continuous weigher for weighing a bulk product before the bulk product is discharged into a mixing eductor for mixing with heated water, wherein the bulk product melt system further comprises a water flowmeter positioned between the water tank and the mixing eductor, wherein the water flowmeter monitors a water flowmeter rate of the heated water from the water tank to the mixing eductor and controls the water flowmeter rate at a selected flowmeter rate. Thus, Fields, individually or in combination with Wiik, routine skill in the art and/or common knowledge in the art, does not teach or suggest a bulk product melt system wherein both the bulk product and heated water are individually supplied into the mixing eductor at continuously measured and controlled rates.

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Because the references, routine skill in the art and/or common knowledge in the art, individually or in combination, do not teach or suggest all claim limitations, Applicant requests withdrawal of the obviousness rejection.

### **Conclusion**

Applicant intends to be fully responsive to the outstanding Office Action. If the Examiner detects any issue which the Examiner believes Applicant has not resolved in this response, Applicant's undersigned attorney requests a telephone interview with the Examiner.

Applicant sincerely believes that this Patent Application is now in condition for allowance and, thus, respectfully requests early allowance.

Respectfully submitted,



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